

**AN ORDINANCE BY  
PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA, CHAPTER 162, VEHICLES FOR HIRE, TO PROVIDE FOR A DEFINITION OF TAXICAB SAFETY EQUIPMENT; TO REQUIRE SIGNAGE ON APPLICABLE TAXICABS ALERTING PASSENGERS TO THE PRESENCE OF A DIGITAL SECURITY CAMERA SYSTEM; TO REQUIRE THE INSTALLATION OF TAXICAB SAFETY EQUIPMENT IN ALL TAXICABS; TO AUTHORIZE THE CHIEF OF POLICE OR HIS/HER DESIGNEE TO ESTABLISH, ISSUE, AND REVISE RULES, PROCEDURES, AND REGULATIONS TO GOVERN THE SPECIFICATIONS, INSTALLATION, AND MAINTENANCE OF THE TAXICAB SAFETY EQUIPMENT, AND TO PROVIDE FOR ENFORCEMENT OF RULES PROCEDURES AND REGULATIONS; FOR THE PURPOSE OF PROTECTING THE SAFETY OF TAXICAB DRIVERS AND PASSENGERS; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta has an interest in maintaining the health, safety, and welfare of the citizens of the City of Atlanta and its visitors; and

**WHEREAS**, pursuant to section 1-102(c)(36) of its Charter, the City of Atlanta is authorized to regulate and license vehicles operated for hire in the city; and

**WHEREAS**, pursuant to section 98-29 of the City of Atlanta Code of Ordinances ("Code"), the department of police contains the bureau of taxicabs and vehicles for hire, whose functions and duties include all matters related to inspecting, licensing, and regulating taxicabs and vehicles for hire and enforcing provisions of law pertaining to such vehicles; and

**WHEREAS**, in the year 2006, the City of Atlanta ("City") experienced an unprecedented, four criminal assaults and one homicide, against taxicab drivers within a two week period; and

**WHEREAS**, in February 2006, the Taxicab Driver Safety Committee ("Committee") was established in response to these violent episodes; and

**WHEREAS**, the Committee was formed to conduct a comprehensive study on the personal safety of taxicab drivers operating within the City; and

**WHEREAS**, on January 2, 2007, the Committee released its findings in a report entitled "Taxicab Driver Personal Safety in Atlanta, GA - Final Report and Recommendations: The Report of the Taxicab Advisory Group Committee on Driver Safety to Mayor of the City of Atlanta" ("the Report") (see attached as Exhibit "A"); and

**WHEREAS**, the Committee's report cited studies by the National Institute of Occupational Safety and Health ("NIOSH") and the Occupational Safety and Health Administration ("OSHA")

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that revealed driving a taxicab is one of the most dangerous occupations in the United States (see attached as Exhibit “A”); and

**WHEREAS**, the Committee’s principal recommendation was to mandate taxicab owners to install digital security cameras in taxicabs; and

**WHEREAS**, the Committee’s research revealed that several large U.S. and Canadian cities have employed the installation of digital security cameras in taxicabs to reduce violent crimes against drivers (see attached as Exhibit “A”); and

**WHEREAS**, in the year 2003, the city of San Francisco required the installation of digital security cameras in approximately 1,400 taxicabs, and the city of Portland is currently evaluating the four principal vendors of security camera systems for installation in nearly 400 taxicabs; and

**WHEREAS**, the Committee found that some cities have permitted security camera systems as a substitute for safety partitions; and

**WHEREAS**, Committee also determined that after security camera systems were installed in Houston, San Francisco, and Winnipeg, Canada violent crime against taxicab drivers was reduced significantly; and

**WHEREAS**, the Committee’s report cites that New York, Baltimore, and Los Angeles reported a substantial reduction in crimes against taxicab drivers after mandating the installation of bullet-resistant partitions in taxicabs; and

**WHEREAS**, in the year 2004, a survey of taxicab drivers showed that drivers were generally split between their support of security camera systems (48%) and bullet-resistant safety partitions (43%); and

**WHEREAS**, based on the Committee’s findings, the Department of Police (“Department”) recommends that the City mandate that all taxicab owners be required to either install digital security cameras or bullet-resistant partitions; and

**WHEREAS**, the Department believes the installation of either digital security cameras or bullet-resistant partitions will deter criminal assault against taxicab drivers, and provide evidentiary information needed to assist law enforcement in the event of a crime; and

**WHEREAS**, the Department wishes to amend Chapter 162, Article II, Division 5, Section 162 of the Code of Ordinances of the City of Atlanta, Georgia for the purpose of requiring taxicab owners to either install digital security cameras or bullet-resistant partitions in taxicabs; and

**WHEREAS**, in order to effectively achieve the Department’s objectives in regards to driver and passenger safety, the Chief of Police or his/her designee requires the authority to establish, issue and revise, as necessary, appropriate rules, procedures and regulations for the purpose of governing the specifications, installation, and maintenance of the taxicab safety equipment, and providing for the enforcement of such rules, procedures and regulations; and

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WHEREAS, it is necessary to amend Chapter 162 of the Code to accomplish these purposes; and

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, as follows:**

**Section 1:** That Chapter 162, Article II, Division 1, Section 162-26, of the City of Atlanta Code of Ordinances which reads:

**Section 162-26. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Bureau* means the bureau of taxicabs and vehicles for hire.

*Business license* means the license required of any business operating within the city by chapter 30, article III.

*Certificate of public necessity and convenience, CPNC* means a license permitting a person to operate one vehicle for hire upon the streets of the city.

*Company* means any person, association, corporation or other organization operating or intending to engage in the business of operating vehicles for hire.

*Company lot* means the lot maintained by a company for the purpose of parking its vehicles and for other functions in the operation of the vehicle for hire business and subject to approval by the bureau of traffic and transportation.

*Company permit* means the application for a permit to engage in the business of operating vehicles for hire.

*Contract limousine service* means the rendering of limousine service by a limousine or extended limousine on a contract basis for any period in excess of 12 hours for any calendar month on hire to any one customer, regardless of whether corresponding fares or fees are collected by the limousine service from the other party contracting or from the passengers of the limousine service.

*Director* means the director, bureau of taxicabs and vehicles for hire.

*Driver* means an individual permitted to drive a vehicle for hire.

*Extended limousine* means a sedan-type motor vehicle capable of normally transporting no fewer than nine persons, including the driver.

*Fees* means nonrefundable payments required in this article.

*Highways* means any of the public streets, roads, boulevards, avenues, drives or alleys of the city.

*Limousine* means any motor vehicle that meets the manufacturer's specifications for luxury limousine with a designed seating capacity for no more than nine passengers with a minimum of five seats located behind the operator of the vehicle and which does not have a door at the rear of the vehicle designed to allow passenger entry or exit; further, no vehicle shall be permitted to be operated both as a taxicab and a limousine.

*Limousine service* means the service regularly rendered to the public by furnishing transportation for hire, not over fixed routes, by means of limousines or extended limousines operated by chauffeurs, on the basis of telephone contract, written contract or other prearrangement with holder of the certificate of public necessity and convenience.

*Narcotic drugs, barbituric acid derivatives and central nervous system stimulants:*

(1) *Narcotic drugs* means coca leaves, opium, cannabis, marijuana, isonipecaïne and every synthetic substance known to have narcotic action.

(2) *Barbituric acid derivative* means each of the salts and derivatives of barbituric acid, also known as malonyl urea, and derivatives, compounds, mixtures or preparations thereof. Barbiturates include all hypnotic or somnifacient drugs, whether or not derivatives of barbituric acids.

(3) *Central nervous system stimulants* means amphetamine and desocyephedrine and any derivative, compounds, mixture or preparation thereof.

*Nolo contendere* is to be construed as a guilty plea and is to be considered a conviction.

*Open stands* means any location on the streets of this city that shall be used by any taxicab on a nonexclusive, first come, first served basis and not by private vehicles or other public conveyances.

*Permit* means the written authority granted to persons who qualify to drive vehicles for hire.

*Sedan* includes any luxury or nonluxury sedan-type vehicle which has a seating capacity of not more than five passengers and the driver and which is classified as a luxury sedan by the IRS for tax and depreciation purposes and which renders service to the public not over fixed route, operated by chauffeurs on basis of telephone or written contract.

*Sedan service* means a pre-arranged service regularly rendered to the public by furnishing transportation for hire, not over fixed routes, by means of sedans. Pre-arrangement

shall constitute a communicated contract prior to pick-up, evidenced by a properly completed trip sheet. The trip sheet shall include, but not be limited to, the guest's name, number of passengers to be picked up, time of pick-up, final destination, hotel room number, if applicable, and a valid contact phone number.

*Taxicab* means a motor vehicle used as a public conveyance, subject to this article.

*Taximeter* means an instrument or device attached to a vehicle and designed to measure mechanically or electronically the distance traveled by such vehicle, to record the times the vehicle travels or is in waiting and to indicate the fare to be charged.

*Use of narcotic drugs* applies to any person who uses one or more of the narcotic drugs or barbituric acid derivatives or central nervous stimulants as defined in this section to any extent, with or without medical need or authority or prescription.

*Van* means any vehicle other than a sedan-type vehicle with a designed seating capacity of not less than seven and not more than 15 passengers. Vans operating as nonemergency medical transport vehicles shall be required to obtain taxicab CPNC's and shall be subject to all regulations governing taxicabs, including vehicle requirements and fares charged.

*Vehicle for hire* means any motor vehicle, animal-drawn vehicle or other vehicle or device designed or used for the transportation of passengers (including, but not limited to medical patients) for hire, the charges for the use of which are determined by agreement, mileage or by the length of time for which the vehicle is engaged. Excluded from this definition are intraurban buses and vehicles exclusively regulated by the state public service commission.

be amended such as Chapter 162, Article II, Division 1, Section 162-26, of the City of Atlanta Code of Ordinances shall read as follows:

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(1) *Narcotic drugs* means coca leaves, opium, cannabis, marijuana, isonipecaine and every synthetic substance known to have narcotic action.

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*Sedan service* means a pre-arranged service regularly rendered to the public by furnishing transportation for hire, not over fixed routes, by means of sedans. Pre-arrangement shall constitute a communicated contract prior to pick-up, evidenced by a properly completed trip sheet. The trip sheet shall include, but not be limited to, the guest's name, number of passengers to be picked up, time of pick-up, final destination, hotel room number, if applicable, and a valid contact phone number.

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*Taximeter* means an instrument or device attached to a vehicle and designed to measure mechanically or electronically the distance traveled by such vehicle, to record the times the vehicle travels or is in waiting and to indicate the fare to be charged.

***Taxicab Safety Equipment* means either digital security cameras or bullet resistant partitions.**

*Use of narcotic drugs* applies to any person who uses one or more of the narcotic drugs or barbituric acid derivatives or central nervous stimulants as defined in this section to any extent, with or without medical need or authority or prescription.

*Van* means any vehicle other than a sedan-type vehicle with a designed seating capacity of not less than seven and not more than 15 passengers. Vans operating as nonemergency medical transport vehicles shall be required to obtain taxicab CPNC's and shall be subject to all regulations governing taxicabs, including vehicle requirements and fares charged.

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or by the length of time for which the vehicle is engaged. Excluded from this definition are intraurban buses and vehicles exclusively regulated by the state public service commission.

**Section 2:** That Chapter 162, Article II, Division 1, Section 162-36, of the City of Atlanta Code of Ordinances which reads:

**Sec. 162-36. Information to be displayed on taxicabs.**

(a) *Required.* All taxicabs shall have affixed to the exterior the following:

(1) *CPNC number,* affixed by means of permanent, nonmagnetic decals to the front left hood, the rear right trunk lid and each front fender, at least five inches in height, news gothic bold in style, with a width of at least three-eighths of an inch and black or white in color, whichever is most prominent against the background color.

(2) *Name of company,* painted or affixed by decal, according to specifications provided by the police chief, to the right and left front doors.

(3) *Schedule of rates,* painted or affixed by decal to the left and right rear doors.

(b) *Monthly insurance sticker.* Each taxicab for hire shall have affixed to the upper right corner of the front windshield a current monthly insurance sticker issued by the bureau.

(c) *Schedule of rates; identifying information.* Each taxicab shall have a schedule of passenger rights, which shall include the right to an air-conditioned cab, the right to direct the driver to use a certain route to a destination, except in a flat rate zone and an explanation of all rates and charges including flat rate fares, its CPNC number and the company's name and telephone number in addition to the bureau's telephone number for complaints and comments on the rear passenger window. The driver permit shall be three and one-half inches by five inches in size, placed in a bracket or receptacle of a type approved by the bureau and shall be located on the right half of the dash.

(d) *Logo and identification scheme.* Each company shall submit to the police chief a company logo and identification scheme which shall not be the same or similar to any other and which within ten days shall be approved or rejected. Upon approval, the company logo and identification scheme shall be affixed to each vehicle for hire in the company's fleet. The logo and identification scheme shall be affixed to the left and right front doors and any other part of the vehicle, if applicable, and shall not be less than 12 inches in height, but not greater than 24 inches in height.

(e) *Dome light on roof.* All taxicabs shall be equipped with a dome light not less than six inches in height, permanently affixed to the roof, bearing the term "taxi" or the company name.



(f) *Advertising inside vehicle.* Any advertising material to be displayed inside the taxicab must be approved by the bureau; such approval shall not be unreasonably withheld.

(g) *Responsibility for compliance.* CPNC holders and companies shall be responsible for compliance with this section, except that drivers shall be responsible for compliance with requirements relating to display of driver permits.

be amended such as Chapter 162, Article II, Division 1, Section 162-26, of the City of Atlanta Code of Ordinances shall read as follows:

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(3) *Schedule of rates,* painted or affixed by decal to the left and right rear doors.

(b) *Monthly insurance sticker.* Each taxicab for hire shall have affixed to the upper right corner of the front windshield a current monthly insurance sticker issued by the bureau.

(c) *Schedule of rates; identifying information.* Each taxicab shall have a schedule of passenger rights, which shall include the right to an air-conditioned cab, the right to direct the driver to use a certain route to a destination, except in a flat rate zone and an explanation of all rates and charges including flat rate fares, its CPNC number and the company's name and telephone number in addition to the bureau's telephone number for complaints and comments on the rear passenger window. The driver permit shall be three and one-half inches by five inches in size, placed in a bracket or receptacle of a type approved by the bureau and shall be located on the right half of the dash.

(d) *Logo and identification scheme.* Each company shall submit to the police chief a company logo and identification scheme which shall not be the same or similar to any other and which within ten days shall be approved or rejected. Upon approval, the company logo and identification scheme shall be affixed to each vehicle for hire in the company's fleet. The logo and identification scheme shall be affixed to the left and right front doors and any other part of the vehicle, if applicable, and shall not be less than 12 inches in height, but not greater than 24 inches in height.

(e) *Dome light on roof.* All taxicabs shall be equipped with a dome light not less than six inches in height, permanently affixed to the roof, bearing the term "taxi" or the company name.

(f) *Advertising inside vehicle.* Any advertising material to be displayed inside the taxicab must be approved by the bureau; such approval shall not be unreasonably withheld.

(g) ***Digital Security Camera System.*** All taxicabs equipped with a digital security camera in compliance with 162-120 must have affixed by decal according to specifications provided by the police chief outside of both rear doors a sign stating that images of passengers will made by the digital security camera system.

(h) *Responsibility for compliance.* CPNC holders and companies shall be responsible for compliance with this section, except that drivers shall be responsible for compliance with requirements relating to display of driver permits.

**Section 3:** That Chapter 162, Article II, Division 5 of the Code of Ordinances of the City of Atlanta, Georgia is hereby amended by adding a new Section 162-120 which shall read as follows:

**Sec. 162-120. Required Taxicab Safety Equipment**

(a) Either digital security cameras or bullet resistant partitions are required to be installed in all taxicabs.

(b) Only taxicab safety equipment that has been evaluated and approved by the Department of Police shall be installed in Atlanta taxicabs.

(c) Drivers, companies, and CPNC holders shall be responsible for compliance with this section; failure to do so shall constitute due cause for the revocation or suspension of Permits, Company Permits, and CPNCs.

**Section 4:** Chapter 162, Article II, Division 5 of the Code of Ordinances of the City of Atlanta, Georgia is hereby amended by adding a new Section 162-121 which shall read as follows:

**Sec. 162-121. Specifications, Installation, and Maintenance of Taxicab Safety Equipment; Enforcement.**

(a) The Chief of Police or his/her designee may establish and issue rules, procedures and regulations to govern the specifications, installation, and maintenance of the taxicab safety equipment and may, from time to time, revise such rules, procedures and regulations.

- (b) Any such rules, procedures and regulations issued in accordance with this section shall be disseminated in writing by the Department of Police.
- (c) Failure to comply with any such rules, procedures and regulations shall preclude approval of the non-compliant taxicab safety equipment by the Department of Police in accordance with Atlanta City Code § 162-120(b).

**Section 5:** This ordinance shall take effect six (6) months after its passage.

**Section 6:** All ordinances and parts of ordinances in conflict herewith are hereby waived for purposes of this ordinance only, and only to the extent of the conflict.

**TRANSMITTAL FORM FOR LEGISLATION**

**TO: MAYOR'S OFFICE**

**ATTN: GREG PRIDGEON**

Legislative Counsel (Signature): Investigator Kurt Braunsroth

Contact Number: (404) 853-4266

Originating Department: Department of Police

Committee(s) of Purview: Public Safety and Legal Administration

Council Deadline: 16 June 2009

Anticipated Committee Meeting Date(s): 30 June – 1 July 2009

Anticipated Full Council Date: 6 July 2009

Commissioner Signature: D/C George W. Lamm

Chief Procurement Officer Signature: \_\_\_\_\_

**CAPTION**

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FINANCIAL IMPACT (if any)

Mayor's Staff Only

Received by CPO: \_\_\_\_\_ Received by LC from CPO: \_\_\_\_\_  
(date) 6/16/09 (date)

Received by Mayor's Office: \_\_\_\_\_ Reviewed by: \_\_\_\_\_  
(date) (date)

Submitted to Council: \_\_\_\_\_  
(date)